



School Leader Update

Iowa Department of Education May 2007 – *Special Edition* Resources for Iowa School Leaders

LEGISLATIVE UPDATE

FROM THE DIRECTOR'S DESK: 2007 Legislative Action

The 2007 Legislative session was a landmark year. Education was a key priority and all sectors of education reaped many benefits from this focus on educational issues and funding. In an effort to keep you informed of the resulting changes, we've provided below a brief synopsis of legislative action related to education. Please note that four themes are included in this letter: 1) policy issues, 2) funding changes, 3) mandated studies, and 4) additional grant opportunities.

We, at the Iowa Department of Education (DE), understand that these changes will likely prompt discussions and require adjustments to local policy and procedures. Please know that we want to assist you in this process. Therefore, we will provide in the upcoming months detailed guidance specific to several issues outlined in this document. In addition, please feel free to contact our consultants with questions or concerns you may have.

Note: There are still several bills that are yet unsigned. If changes occur to those bills that impact this guidance, we will let you know in a subsequent letter. At this point, we do not anticipate any changes to those bills that will affect this guidance.

Policy Issues

1. Educator (Teacher & Administrator) Quality – [SF \(Senate File\) 277](#)

Separate guidance on the policy changes included in SF 277 will be issued. These separate pieces of guidance will address 1) Inclusion of AEA staff in Teacher Quality and 2) Administrator Quality expansion.

Additionally, the attached guidance that is accompanying this issue of the *School Leader Update* provides more detail on the following issues included in the Educator Quality bill - SF 277:

- Funding for Professional Development
- Attendance Center Professional Development Plans
- Teacher Quality Committee responsibilities
- Changes to Minimum Teacher Salaries
- Changes to Market Factor Incentives provisions
- Requirements related to mandated counselors, nurses, and teacher librarians, including waiver information and the inclusion of some nurses in Teacher Quality funding
- Changes to dates of agreement on fund distribution
- Changes to mandatory topics of bargaining
- Changes to Intensive Assistance Program requirements

Additionally, SF 277 includes the following policy changes:

- Phase out of the National Board Certification Program.
Effective January 1, 2008. All applicants prior to that date and current National Board Certified teachers participating in this stipend program will continue to have the state's financial obligation met until the original commitment expires.
- Teacher background checks
School districts must now conduct a background check on every new certified employee prior to the issuance of an initial contract. This is in addition to the background check performed by the Board of Educational Examiners (BoEE) prior to the issuance of any provisional or standard license or renewal of a standard license.

School districts may request the background check from the Division of Criminal Investigation (DCI) or from a qualified background screening company accredited by the national association of professional background check screeners. The background check shall include a fingerprint packet, a national criminal history check, a review of the sex offender registry, the central registry for child abuse information, and the central registry for dependent adult abuse information. The intent of this new requirement is minimal screening of the available criminal databases. The school district may charge the teacher a fee for this service.

- Change in definition of "Teacher" under Teacher Quality
Any individual who holds a practitioner's license issued by the BOEE or a statement of professional recognition (SPR) issued by the BOEE, who holds a position that requires a license or SPR, and who is employed in a non-administrative position by a school district or AEA is now included in Teacher Quality programming. The statement of professional recognition can only be given to a person with a Bachelor's degree or higher.
- Expansion of Administrator Quality
Separate guidance is forthcoming, but the expansion of Administrator Quality creates a new Iowa Code chapter 284A that mirrors the policy included in the Teacher Quality program. This expansion builds on the new administrator mentoring and induction enacted in 2006 to include statewide Standards for School Leaders, administrator professional development plans, and standards-based administrator evaluations.

2. School District Sharing Incentives – [SF 447](#)

Additional guidance on these requirements will be issued separately in the near future. Several parts of this legislation will require the DE to adopt rules to further define the processes included in the statute.

HF 447 contains three primary functions:

- a. Reinstatement of Whole Grade Sharing and Reorganization Incentives
Prior statute relating to these incentives sunsets on June 30, 2006. This bill reinstates these incentives until June 30, 2014.
- b. Creation of Operational Sharing Incentives
In order to provide additional funding to increase student opportunities and redirect more resources to student programming, school districts may create new operational sharing opportunities with other governmental entities including cities, townships, counties, merged areas, area education agencies, Regents' institutions, and other governmental subdivisions. Operational sharing opportunities are defined as the superintendent, business management, human resources, transportation, or operation/maintenance. These incentives are maximum five-year incentives that automatically reduce by 20 percent each year over the life of the incentive. Districts must demonstrate cost savings realized each year to have the incentive continue. These incentives sunset on June 30, 2014. The DE will adopt rules to govern these incentives.

- c. **Statewide School District Efficiencies Study**
During 2007-08, the DE shall conduct a statewide study that “facilitates discussion between school district leaders in order to support rigorous and relevant student programming and efforts to increase student achievement through identification and realization of sharing and efficiency of operations efforts with other governmental entities. The process is intended to identify potential areas of additional sharing, to promote reductions in costs of operations, and create additional resource availability. A report to the General Assembly is due by March 15, 2008.

3. **Voluntary access to statewide quality 4-year-old preschool programming –** **[HF \(House File\) 877](#)**

HF 877 creates a statewide quality 4-year-old program to be administered by school districts in collaboration with various stakeholder partners. Funding for this program is \$15 million in 2007-08 ramping up to more than \$60 million in 2010-11.

Separate detailed guidance will be issued on the implementation of this programming including rules development and grant RFP information.

Because this is a four-year ramp-up, not all districts will have access to this programming in the initial years of the program. To get programs running quickly, the initial year of participation in this programming is a grant, which reverts to formula funding for approved programs beginning in the second and subsequent years. Funding follows the student with no resident district requirements and is provided at 0.6 percent of the state per pupil cost. Approved programs must support an approved set of program standards, deliver programming based on developmental learning standards, and use licensed teachers.

Pertinent timelines for this implementation include:

State Board of Education Meeting – Notice of Intended Action and Adoption of Emergency Rules	May 29
DE Website posting of Rules for public comment	June 1
Application and directions available (see posting on DE website with information that Letters of Intent are due June 15)	June 1
School Leader Update	June 1
Broadcast statewide ICN (Iowa Communications Network) to review legislation and the application process (not an interactive ICN; an FAQ document will be available on DE website)	June 5 (9:00-10:30)
Letters of Intent due (districts submit Letter of Intent; form available on DE website)	June 15
Train readers for applications submitted	June 28
Head Start Summits for Collaboration Guidance in four to six regions of state	June 4-15
Applications due to DE	July 2
Committee Reads Applications	July 9
ICN Public Hearing of Rules for public comment	July 10
DE Determination of Application Awards	July 16
DE Notify All Applicants of Awards	July 17
Voluntary Statewide Preschool Program Governor’s Summit for those districts awarded first year funding	July 25

Contracts issued (potentially)	September
Districts begin preschool programs (to assure certified enrollment count)	Prior to and no later than Oct 1, 2007

4. Disability History Week – [SR \(Senate Resolution\) 39](#)

This resolution designates the third week of October, 2007 as Disability History Week in Iowa. Schools are encouraged to conduct disability awareness activities during this week. Look for more information on resources and materials that can be used for these activities in the October *School Leader's Update*.

5. Teacher Job Opening Website – [SF 588](#)

The DE continues to maintain a website, per statute, that makes available statewide teacher job openings. Interested parties can access that website at <http://www.iowaeducationjobs.com/>.

6. Statewide Core Content Standards and Model Core Curriculum Expansion – [SF 588](#)

The language included in SF 588 contains several provisions:

- Grants authority for the State Board of Education to adopt statewide core content standards in reading, mathematics, and science. This requirement applies to school districts and accredited nonpublic schools. The adopted standards must align to the approved standards submitted to the U.S. Department of Education under Iowa's No Child Left Behind (NCLB) Accountability Plan.
- Provides resource to expand Iowa's existing 9-12 Model Core Curriculum in literacy, mathematics, and science to grades K-8 and to include Social Studies and 21st Century Learning Skills (Civic Literacy, Technology Literacy, Health Literacy, Financial Literacy, and Employability Skills).
- Aligns expectations for eighth grade planning to support the implementation of the Model Core Curriculum
- Requires the DE to conduct a study of school district readiness to implement the Model Core Curriculum

7. ICN Course Supplemental Weighting - [SF 588](#)

SF 588 provides limited authority for certain ICN courses to generate additional supplemental weighting to reimburse the institution and the instructor for the delivery of coursework using the ICN. Only courses delivered using the ICN network's video services are eligible. The DE will work with the ICN to identify which courses are eligible to generate supplemental weighting. This information will be available prior to the start of school in the fall. The supplemental weighting will not be available until 2008.

8. Changes to driver education delivery - [SF 588](#)

The provision of driver education is now the responsibility of the receiving district, not the resident district, in open enrollment situations. Resident districts may provide driver education to students who are open enrolled out, but are no longer compelled to do so.

9. Reporting of inappropriate teaching assignments and potential implications for BOEE professional practice complaints resulting from inaction to resolve these situations - [SF 588](#)

Provisions in this language include:

- A requirement that the DE and the BoEE create a mechanism to annually compare teaching assignments to licensing categories.
- Requires a teacher who is assigned to teach a course for which they are not properly licensed to report that misassignment to the administrator responsible for making teacher assignments. Failure to report this misassignment could result in a professional practices complaint against the teacher to the BOEE.
- Requires an administrator who misassigns a teacher to teach a subject in which they are not properly licensed to correct the issue or face a possible professional practices complaint with the BOEE.
- Grants permission for DE to file professional practices complaints directly to the BOEE for misassignments and other misconduct beyond misassignments
- Grants permission for the BOEE executive director to file professional practices complaints directly on misassignments.

10. Update of local school board discipline policies - [SF 588](#)

Requires districts to ensure that certain provisions relating to student discipline are included in local school district discipline policies. A new sample policy will be developed. Chapter 12 rules will be updated.

11. Mandate for school districts to release free/reduced lunch lists to the Hawk-I program – [HF 909](#)

School districts must now release the district's free and reduced lunch list to the Hawk-I program annually. The list shall not include names of students where the parent has indicated on the free/reduced application form that the information should not be released.

12. Lead screening prior to the age of 6 – [HF 158](#)

Parents must provide evidence of the completion of a lead screen to the school district prior to the age of 6. The school district must forward this evidence to the Department of Public Health within 60 days of the start of school. A variety of exceptions and waivers are available. School districts may provisionally enroll a student after the age of 6 in certain circumstances. The Department of Public Health will be developing rules for this screening this summer.

13. Fiscal Phase II visits – [HF 317](#)

This bill grants the School Budget Review Committee the authority to recommend to the State Board of Education that a "Phase II" accreditation visit be conducted with schools that carry a negative unspent balance for two or more consecutive years. The State Board has the ability to decide whether a Phase II visit should be conducted.

14. Update of local Human Growth and Development Curricula – [HF 611](#)

The statute requires the following:

- The DE must compile resources on sexual health literacy and human growth and development that are age-appropriate and research based and must make those resources available to school districts.
- School districts and accredited nonpublic schools must use this set of resources to update local Human Growth and Development curricula.

Resources will be compiled and made available in the 2007-08 school year.

15. High School students can serve on election boards in certain circumstances – [HF 618](#)

Students who are age 17 or older and meet certain criteria may staff election centers during elections.

16. Adjustments to 28E contract provisions – [HF 808](#)

HF 808 adds additional accountability provisions to 28E contracting procedures, but does remove the requirement for filing the 28E contract with county recorders.

17. Dental screening prior to the age of 6 – [HF 906](#)

Parents must provide evidence of the completion of a dental screen to the school district prior to the age of 6. The school district must forward this evidence to the Department of Public Health within 60 days of the start of school. A variety of exceptions and waivers are available. School districts may provisionally enroll a student after the age of 6 in certain circumstances. This bill does not enact until the 2008-09 school year.

18. Antibullying and Anti-harassment Policies – [SF 61](#)

Districts must adopt local policies that ensure sexual orientation is a protected class of students. An updated sample policy will be made available, as will updated Technical Assistance on procedure implementation. Data collection will be necessary on incidents of bullying and harassment. These data elements will be included in Basic Educational Data Survey (BEDS). Chapter 12 will be updated to include these provisions.

19. Inclusion of sexual orientation to civil rights law – [SF 427](#)

Additional guidance is forthcoming from the Department of Civil Rights.

Funding

- Empowerment funding: \$23,781,594 (same as FY07)
- Nonpublic textbooks: \$664,165 (\$25,545 above FY07)
- Community College funding: \$171,962,414 (\$12,383,170 over FY07)
- Nonpublic transportation: \$8,604,714 (same as FY07)
- Vocational Education salaries: \$553,758 (same as FY07)
- School Food Service: \$2,509,683 (same as FY07)
- Vocational Education Programming: \$2,936,904 (same as FY07)
- Educational Excellence program: \$55,469,053 (same as FY07)
- Iowa Jobs for America's Graduates (IJAG): \$600,000 (same as FY07)
- State Library: \$1,801,761 (\$335,000 above FY07)
- Library Service Areas: \$1,586,000 (\$209,442 above FY07)
- Enrich Iowa Libraries: \$1,823,432 (\$125,000 above FY07)
- Early Intervention/Class Size: \$29,250,000 (same as FY07)
- Shared Visions program: \$12,606,196 (\$1,335,196 above FY07)
- DE administration: \$7,919,382 (\$2,000,000 and 10 FTE above FY07; includes \$1.5 million for expansion of Model Core Curriculum)
- Instructional Support levy: \$14,428,271 (same as FY07)
- School Foundation Aid: \$2,144,102,359 (\$101,009,496 above FY07)
- Iowa Public Television (IPTV): \$9,813,174 (\$398,047 above FY07)
- Vocational Agriculture Youth Organization: \$50,000 (same as FY07)
- Before/After school grant program: \$1,000,000 (\$850,000 over FY07)
- Individuals with Disabilities Act (IDEA) Part C (0-3 years) services: \$1,721,400 (new)
- Early Head Start Pilots: \$400,000 (new)
- Voluntary statewide access to quality 4-year-old preschool programming: \$15,000,000 (new)
- New Administrator Mentoring and Induction: \$250,000 (same as FY07)
- Statewide Education Data Warehouse: \$1,000,000 (new)
- Belin-Blank Center: \$400,000 (new)
- Student Achievement Strategies Pilots: \$2,500,000 (new)
- Educator Quality: \$173,943,894 (\$69,600,000 above FY07)
 - This funding includes \$20,000,000 for Professional Development
 - Prior bill language relating to the equivalent of one additional PD day and Pot 2 is stricken
 - \$1.8 for Teacher Development Academy expansion
 - \$4.4 million for teacher mentoring and induction programs
 - \$1 million for Career Ladder/Pay for Performance Pilot Planning Grants
 - \$3.3 million for market factor pay
- District Sharing and Efficiencies Study: \$400,000 (new)
- Community College Salary enhancements: \$2,000,000 (new)
- Math/Science Education Grant: \$200,000 (new)

Iowa Department of Education (DE) Statewide Studies

1. Community College Quality Faculty Plan Work Group - [SF 588](#)
Requires the DE to convene a work group to address statute/rule pertaining to Quality Faculty Plans for community college staff. A report is due to the General Assembly by January 14, 2008.
2. School District Efficiencies study – [SF 447](#)
See the above explanation of the study in the section relating to School District Sharing Incentives.
3. Project EASIER software study – [HF 468](#)
Compels the DE to conduct a study of the feasibility of reducing the number of approved local district software providers from the current 14 to one or several. A report is due to the legislature in January 2008.

4. Legislative Property Tax Study Committee - [SF 601](#)
Sanctions another two-year study of property tax reform by the legislature.

New Grant Opportunities

1. Career Ladder and Pay for Performance Pilot Planning Grants – [SF 277](#)
SF 277 allocates \$1 million dollars for 10 planning grants: eight grants for Career Ladder pilots administered by the DE and two grants for Pay for Performance pilots administered by the Pay for Performance Commission. The DE, in collaboration with the Pay for Performance Commission, will issue an RFP for these planning grants this summer. The grants are to be implemented in the 2007-08 school year. Additional information will follow – check the DE's website under grants for the RFP.
2. Math and Science Education Improvement Grant Pilot Project – [HF 829](#)
HF 829 allocates \$200,000 to an area education agency (AEA) for a math and science education improvement grant pilot project for the purpose of providing a regional and cooperative program to enhance professional development opportunities that enhance science, technology, engineering, and math (STEM) efforts. An RFP will be issued by the end of May and the grant is to be implemented during the 2007-08 year.
3. Student Strategies and Education Opportunities Grants – [SF 588](#)
HF 588 appropriates \$2.5 million dollars for a pilot grant program designed to provide supplemental strategies and educational services to students who do not meet the grade level expectations established by the school district for English/Language Arts, social studies, mathematics, and science. Participating districts must establish a student advancement policy that addresses the criteria in the bill. Grants are to be implemented in the 2007-08 school year. The RFP will be made available by August – check the DE's website under grants for the RFP.
4. Before and After School Grant Program - [SF 588](#)
HF 588 appropriates \$1 million for Before/After School Grants to be made available to school districts and other public and private organizations. The 2006 Legislature initiated this grant program and this funding makes an additional \$750,000 available compared to 2006. Grants are to be implemented in the 2007-08 school year. The RFP will be made available by August – check the DE's website under grants for the RFP.
5. Spanish Reading Recovery Pilots - [SF 588](#)
The bill provides \$62,500 for five pilots at \$12,500 each for the implementation of the Spanish version of Reading Recovery. Districts must have a high percentage of Hispanic students and must be currently implementing the English version of Reading Recovery. Additional information will be made available in the summer to districts with high Hispanic populations.
6. Iowa Learning Technology Commission (ILTC) – [SF 601](#)
Another \$500,000 was awarded to the ILTC for grants for innovative technology to be issued in the 2007-08 school year.

For additional information, please visit the DE's Legislative Update page at <https://www.edinfo.state.ia.us/web/legisupdate.asp> or contact the DE's Legislative Liaison Jeff Berger at 515-281-3399 or jeff.berger@iowa.gov.



STATE OF IOWA

CHESTER J. CULVER, GOVERNOR
PATTY JUDGE, LT. GOVERNOR

DEPARTMENT OF EDUCATION
JUDY A. JEFFREY, DIRECTOR

DATE: May 18, 2007

TO: Administrators of Public School Districts
AEA Administrators

FROM: Pamela Pfitzenmaier, Ph.D., Administrator
Division of PK-12 Education

SUBJECT: Guidance on Senate File 277 Student Achievement and Teacher Quality Program

Senate File 277 made some significant changes to the existing Student Achievement and Teacher Quality program, as well as some new requirements for district staff. The purpose of this memo is to provide updated information about the requirements. **Please note that this guidance does not include changes to Administrator Quality or the impact of SF 277 on Area Education Agencies. That guidance will be sent in a separate memo.**

A. Professional development funding

(Amends Iowa Code Chapter 284.6) The Legislature appropriated up to \$20 million to be used for local district and AEA professional development purposes. Last year's appropriations of and requirements for \$10 million for the equivalent of one day of professional development and the \$6.625 million in "Pot 2" were replaced with this year's \$20 million appropriation. As in previous years, the allocation to each district will be based upon the average per diem contract salary for each district multiplied by the total number of full-time equivalent teachers. Note that the definition of "teacher" for purposes described in Iowa Code Chapter 284 has been expanded. (See item E below). **SF 277 changed the use of the funds to "...providing professional development to teachers, including additional salaries for time beyond the normal negotiated agreement; pay for substitute teachers, professional development materials, speakers, and professional development content; and costs associated with implementing the individual professional development plans."** (See item C below for description of who determines how these funds are expended. The district administration/board no longer have sole authority to determine use of these funds.) These funds may not supplant existing funding for professional development activities (e.g. general fund, federal funding sources, carryover of state P.D. funds from the previous school year, etc). Districts are required to certify to the Iowa Department of Education (DE) how funds received were used (more information on data collection to follow later in the summer). Funds will be disbursed to districts and AEAs in one payment, on or about October 15. The amount to be distributed to each district and AEA will be posted on the DE website in early summer.

B. Attendance center professional development plan

(Amends Iowa Code Chapter 284.6) In addition to the previously required district professional development plan and the individual plan for each teacher, SF 277 added the requirement that **each attendance center "shall develop an attendance center professional development plan."** The plan must be based upon the needs of teachers, the Iowa teaching standards, the district professional development plan, and the student achievement goals of the attendance center and the district. The legislation did not establish a date by which attendance center plans must be developed, but it is advisable to develop these plans early in the upcoming school year. (The district professional plan is already incorporated into the Comprehensive School Improvement Plan. The attendance center plans do not need to be incorporated into the CSIP,

however). Districts with a single building (e.g. K-12 students in one building) may elect to do one attendance center plan or may elect to do separate plans by grade spans (e.g. K-8, 9-12). Templates and models for attendance center plans will be provided later this summer.

C. Teacher Quality Committee responsibilities

(Amends Iowa Code Chapter 284.7, subsection 6 and Chapter 284.11) SF 277 requires each district and AEA to create a teacher quality committee with equal representation of administrators and teachers. The number of members on the committee is not defined in SF 277. The teacher members are appointed by the certified employee organization. If there is no local certified employee organization, the school board appoints the teachers. The certified employee organization and the school board may mutually agree to use an existing district committee (such as a professional development, curriculum, and/or school improvement committee) in a capacity such as the following:

- Assign the Teacher Quality Committee responsibilities to an existing committee; or
- Use an existing committee in an advisory role to the Teacher Quality Committee.

The Teacher Quality Committee duties are outlined below:

- Monitor the local implementation of the Student Achievement and Teacher Quality program.
- Determine the use and distribution of the professional development funds (see A above) based on the school district/agency, attendance center, and individual teacher development plans. The legislation also states, "...the use of the funds shall be balanced between school district, attendance center, and individual professional development plans, making every reasonable effort to provide equal access to all teachers." **The legislation no longer requires the equivalent of one additional day for professional development (the additional day that was required in both the 2005-06 and 2006-07 school years is no longer required). However, SF 277 does state, "The goal for use of the funds is to provide one additional contract day or the equivalent thereof for professional development..."** All professional development plans, including district, attendance center, and individual plans, must be aligned with the Iowa Professional Development Model as outlined in Iowa Code Chapter 284.6. Per Iowa Code, the P.D. must contain the following:
 - Support that meets the career development of individual teachers and is aligned with the Iowa Teaching Standards;
 - Research-based instructional strategies aligned with the school district's student achievement needs and the long-range improvement goals established by the districts;
 - Instructional improvement components including student achievement data, analysis, theory, classroom demonstration and practice, technology integration, observations, reflection, and peer coaching;

Allowable expenditures of SF 277 professional development funds would not include items such as mandatory trainings (e.g. blood-borne pathogens, mandatory reporter training, etc), parent-teacher conference days, teachers preparing in their classrooms (work days), staff orientations, or time spent preparing grades/report cards/lesson plans. **The DE, in collaboration with ISEA and SAI, will be providing technical assistance to local Teacher Quality Committees regarding the Iowa Professional Development Model and how it may be used for district, attendance center, and individual professional development plans. These regional meetings are tentatively scheduled for the week of August 13. More details about these regional meetings will be sent in a separate memo once the locations and dates are confirmed. We strongly urge teachers and administrators to determine the committee members prior this date.**

- Monitor the professional development in each attendance center to ensure that the professional development meets the district/agency, attendance center and individual professional development plans.

- Make recommendations to the school board regarding the expenditure of market factor incentives (see E below).
- Monitor the district teacher evaluation requirements to ensure they are "...conducted in a fair and consistent manner throughout the school district or agency. In addition to any negotiated evaluation procedures, develop model evidence for the Iowa Teaching Standards and Criteria." (The goal of the model evidence is to minimize paperwork and focus on teacher improvement). **NOTE: The DE, in conjunction with the upcoming Evaluator Approval Renewal Training Level II, will provide examples of "model evidence" that local Teacher Quality Committees may adapt. More information will be shared with Teacher Quality Committees during the regional meetings in August.**

Question 1: May a district opt out of receiving the professional development funds?

No, all districts and AEAs must participate in all aspects of the Student Achievement and Teacher Quality program, including professional development.

Question 2: Who is ultimately responsible for creating the Teacher Quality Committee?

Per Iowa Code Chapter 284.4, the school board must carry out all aspects of Teacher Quality. Therefore, the board is ultimately responsible to see that a Teacher Quality Committee is established.

Question 3: Are the Teacher Quality Committee meetings subject to the open meetings law?

Yes.

Question 4: What if the Teacher Quality Committee cannot reach an agreement on use of the professional development funds?

The funds may only be used for professional development purposes and would be carried into the following school year. If agreement is not reached, the funds may not simply be equally distributed to teachers as salary. Note that the district must annually report to the DE how P.D. funds are used.

Question 5: What if a district wishes to use funds appropriated in SF 277 for professional development? Must they have the approval of the Teacher Quality Committee?

Yes, the Teacher Quality Committee has responsibility for P.D. funds appropriated in SF 277 for '07-08. The duties of the Teacher Quality Committee begin on July 1 and should focus on the use and distribution of SF 277 P.D. funds to implement and support the overall district, attendance center, and individual plans.

Question 6: Does the Teacher Quality Committee approve the professional development plans? (district, attendance center, individual plans?)

No, the Teacher Quality Committee does not have the authority to develop nor approve any of these plans. The Committee does have the responsibility to determine the use and distribution of P.D. funds provided through SF 277 to support the various types of plans. The use of the funds should be "balanced" with the three overall levels of P.D. plans: district, attendance center, and individual plans. The Committee allocates funds to these three general areas of P.D. but does not make individual decisions about funding individual teacher P.D. plans.

Question 7: May a district move forward with professional development plans already made for the 07-08 year?

The district administration may elect to move forward with P.D. plans for the '07-08 school year using funds such as general fund, unexpended state P.D. funds from the '06-07 school year, Title I, Title II A, etc. The district may not move forward with the expenditures of '07-08 P.D. funds without the Teacher Quality committee approval.

Question 8: What if the district already developed a school calendar with the equivalent of an extra contract day for professional development and planned to use professional development funds from SF 277 to pay for the extra contract day?

The Teacher Quality Committee determines the use of the P.D. funds appropriated in SF 277 for '07-08. The committee could certainly decide to use SF 277 P.D. funds for the purpose of meeting the goal of adding the equivalent of one additional contract day of professional development. In cases where the planned professional development follows the Iowa Professional Development Model, Teacher Quality Committees are strongly encouraged to support the equivalent of an extra P.D. day. The district administration could also use other allowable revenue sources (e.g. general fund, Title I, Title IIA, unexpended state '06-07 P.D. funds, etc.) to fund extra contract days for P.D.

Question 9: What if the certified employee organization and the board had already negotiated the addition of one more contract day for '07-08? Does the Teacher Quality Committee have to use funds allocated through SF 277 to pay for the extra day?

The language of any locally bargained agreement must be examined. Refer to your legal counsel for guidance.

Question 10: What is the ideal size and composition for a Teacher Quality Committee?

The size and composition of the committee is locally determined. In a small district with only one or two administrators, the committee will naturally be quite small. It's possible in very small districts that the committee would be two or four individuals. But in order to function effectively and efficiently, larger districts should consider limiting the size of the committee. Regardless of the size of the committee, representation should include, to the extent possible, various grade levels/buildings (elementary, middle, high school). Ideally, members of the committee should have a working knowledge of effective professional development practices and the Iowa Professional Development Model.

Question 11: May the administration appoint a teacher to serve on the Teacher Quality Committee as one of the administrator "slots?" For example can the administration appoint a non-association member teacher to serve on the committee as an administrative designee?

SF 277 states, "The committee shall have equal representation of administrators and teachers. The teacher members shall be appointed by the certified employee organization if one exists, and if not, by the school district's or agency's administration." The only case where administration may appoint teachers to the committee is in the situation where there is no certified employee organization. Even in that situation, teachers appointed do not fill administrator "slots. The administrators appointed must be acting in an administrative role within the district. The members of the Teacher Quality Committee may mutually agree to have additional *ex officio* members to advise them on effective professional development design and practice (e.g. AEA curriculum specialists). Districts with existing consortia agreements for P.D. may also elect to meet with other district Teacher Quality Committees in order to better inform their decisions.

Question 12: Won't there be the potential of just creating another Phase III with the individual plans?

This is not another Phase III program. There are major differences set forth in Iowa Code Chapter 284 and SF 277. Professional development must focus on increasing student achievement. The individual P.D. plan must follow the Iowa Professional Development Model, must be aligned with the district and attendance center P.D. plans, and must be developed in cooperation with the teacher's evaluator. Because the process for development of individual P.D. plans is already specified in Iowa Code, the committee does not have the authority to approve an individual teacher's plan. The committee also does not make individual funding decisions about individual teacher P.D. plans.

Question 13: Since P.D. funds are allocated to districts on a per teacher/per diem basis, must the funds be paid on a per diem basis?

SF 277 does not require P.D. funds to be paid on a per diem basis. The Teacher Quality Committee determines the use and distribution of the funds.

Question 14: SF 277 allows compensation of the teachers on the committee for work beyond the normal workday. What's the source of those funds? Could the funds be used to pay for sub costs if the committee elects to meet during the "workday?"

The compensation comes directly from the district's allocation for professional development (the district's share of the \$20 million). The funds may also be used to pay for substitute costs if the committee elects to meet during the workday. Districts may already have agreed upon compensation for teacher committee work of this nature that will determine levels of compensation. If there is no agreed upon compensation language, it is advised that in the first year of implementation an addendum be added to the bargaining agreement.

Question 15: What about P.D. that is planned for SINA schools? What about P.D. for Reading First schools? Does the committee play a role here?

While it is advisable to make sure the committee is aware of all the P.D. efforts in the district, the committee does not have authority to determine implementation of P.D. for efforts such as SINA and Reading First.

Question 16: One of the duties of the Teacher Quality Committee is to monitor the district teacher evaluation requirements to ensure they are "...conducted in a fair and consistent manner throughout the school district or agency." Does this monitoring include teacher dismissal processes per Iowa Code Chapter 279?

The Teacher Quality Committee responsibility to monitor the evaluation is limited to the evaluation processes in Iowa Code Chapter 284. Other employment issues are addressed in Iowa Code Chapter 279 and are not the responsibility of the committee.

Question 17: Does the monitoring of the teacher evaluation requirements include having the committee review an individual teacher's evaluation?

No, "monitor" means to review the process by which teachers are evaluated to ensure the overall process is fair and consistent. Any concerns about the evaluation process should be highlighted by the committee and reported to the certified employee organization and the board.

D. Market Factor Incentives (previously known as Market Factor Pay)

(Amends Iowa Code Chapter 284.11) SF 277 expanded the allowable uses of market factor incentives to include, but not be limited to, "...salaries, educational opportunities and support, moving expenses, and housing expenses for the recruitment and retention needs of the school district in such areas as hard-to-staff schools and subject-area shortages, improving the racial or ethnic diversity on local teaching staff, funding to prepare a teacher to attain a license or endorsement in a shortage area, or funds to support educational support personnel in pursuing a license in a shortage area." The Teacher Quality Committee "shall make recommendations to the school board and the certified bargaining representative regarding the expenditures of market factor incentives." Market Factor funds are not allocated for AEAs. Use of Market Factor Incentives is limited to classroom teachers and/or educational support personnel (e.g. paraprofessionals) who are pursuing a license in a shortage area. Districts are required to certify to the DE how funds received were used (more information to follow later in the summer). The amount to be distributed to each district will be posted on the DE website in early summer.

Question 18: What happens if our district doesn't use all the allocated Market Factor Incentive funds in one year?

Districts are allowed to carry Market Factor Incentives funds into the following school year. Given the timing of the hiring process, it is recognized that Market Factor Incentives are needed in late winter/early spring during prime hiring time.

Question 19: Are any portions of Market Factor Incentive subject to negotiation and bargaining?

One of the duties of the Teacher Quality Committee is to make recommendations to the school board and certified bargaining representative regarding the expenditures of Market Factor Incentives. The role of the committee is limited to recommendations. The school board determines the portion of Market Factor Incentives to be used for allowable expenditures (e.g. portions for salaries, educational opportunities and support, moving expenses, and housing expenses, etc). Market Factor Incentive is now subject to negotiation and bargaining but only for that portion being used to pay for additional teacher salaries. Expenses such as “educational opportunities and support, moving expenses, and housing expenses...” are not subject to negotiation.

Question 20: If the board determines that a portion of Market Factor Incentives will be used for salaries for particular teaching positions, what role does negotiation and bargaining play in determining the amount paid to each position?

The board determines the specific shortage areas for which the salary incentives are to be paid. The salary allocations for specific shortage areas are subject to negotiation and bargaining..

Question 21: How does the board determine what constitutes the difference between a hiring bonus vs. salary incentive?

A hiring bonus is a one-time recruitment tool used for initial hiring of a teacher into a position. The bonus is not subject to negotiation and bargaining. A salary incentive is used as a retention tool and is subject to negotiation and bargaining.

Question 22: What about Market Factor Pay funds carried forward from the '06-07 school year? Is that subject to negotiation?

No, use of Market Factor Pay allocations in '06-07 was under the sole discretion of the school board.

Question 23: What happens if our district doesn't use all the allocated Market Factor Incentive funds in one year?

Districts are allowed to carry Market Factor Incentive funds into the following school year. Given the timing of the hiring process, it is recognized that Market Factor Incentive funds are needed in late winter/early spring during prime hiring time.

NOTE: The following are additional changes created in SF 277. They are not related to the role of the Teacher Quality Committee.

E. Requirements for employing a guidance counselor, teacher librarian, and school nurse

(Amends Iowa Code Chapter 256.11) In 2006, the Iowa General Assembly added a requirement that each district have a teacher librarian (the law did not require full-time employment). SF 277 added the requirements that starting with the 07-08 school year districts shall also have a qualified guidance counselor and an articulated sequential K-12 guidance and counseling program. It also requires districts to have a school nurse. Included in SF 277 is language that each school district shall work toward the goals of having one qualified guidance counselor for every three hundred fifty students and of having one school nurse for every seven hundred fifty students. As was true in 2006, under certain circumstances, districts may seek a one-year waiver from the requirement for a guidance counselor and a counseling program as well as a one-year waiver from the requirement for a school nurse. Such a waiver must be filed by August 1, 2007. Districts that filed a teacher librarian waiver for the 2006-07 school year and need a one-year

extension must also file the waiver extension request by August 1, 2007. The waiver forms are available at <http://www.iowa.gov/educate/content/view/483/530/>. The mandates do not apply to non-public schools.

SF 277 allows districts to apply to the School Budget Review Committee for one-time authority to increase its modified allowable growth in order to fund one or more teacher librarians, counselors and/or school nurses.

The DE was also appropriated \$1,000,000 “to assist school districts to recruit, employ, and retain qualified teacher librarians, guidance counselors, and school nurses...To be eligible for assistance, a school district shall submit an application to the DE by September 1, 2007.” **More guidance on applying for these limited funds will be sent in a separate guidance document.**

Question 24: Does the legislation require a full-time guidance counselor? Is a full-time nurse required? Is a full-time teacher librarian required?

No, the legislation does not say these positions must be full time. Districts may employ personnel on a part-time basis. Districts may meet these requirements by sharing or contracting with other public entities for the services of a qualified individual.

Question 25: If a district had a teacher librarian, guidance counselor and/or nurse in the '06-07 school year and decided to “pink slip” the employee, is the district eligible for a waiver in '07-08?

No, a school district cannot request a waiver if the requirements were met in '06-07.

Question 26: What is the requirement for a school nurse? Must the individual have a baccalaureate degree?

No, to meet the mandate in SF 277, the school nurse does not have to hold a baccalaureate degree. It is important to separate the two components in SF 277 as they pertain to school nurses. The first component is a mandate for districts to have qualified school nurse services. The district may either employ a nurse or share/contract with another public entity for school nurse services (e.g. Public Health, another school district, etc.). At a minimum, the nurse must be a registered nurse (RN) and be licensed by the Board of Nursing. The second component of SF 277 is described below in question 28.

Question 27: What about licensed practical nurses?

Per rules from the Board of Nursing, a district may not rely solely on a licensed practical nurse (LPN) to meet the mandate. LPNs must be under the supervision of a registered nurse (RN) at the building site to meet the mandate.

Question 28: Are nurses now included in all of the teacher quality benefits including minimum salary, distribution of additional funds for teacher compensation, professional development, and Market Factor Incentives? Do they need to be evaluated per the Iowa Teaching Standards?

The second component of SF 277 as it pertains to school nurses is a determination of whether the school nurse meets the new definition of “teacher,” as it applies to Iowa Code Chapter 284.

- A. Nurses with a baccalaureate: In order to be eligible for any teacher quality compensation funds provided per Iowa Code Chapter 284, the nurse **MUST** hold a minimum of a baccalaureate degree.
 - Teacher Quality compensation funds through Chapter 284 will be disbursed only to districts with nurses holding a baccalaureate degree.
 - Nurses with a baccalaureate do not receive funds for mentoring and induction because there is no initial license requirement through the Board of Educational Examiners.

- The minimum teacher salaries also do not apply to school nurses because they do not meet the definition of “beginning teacher” or “career teacher.”
 - Nurses with a baccalaureate are included in some other aspects of teacher quality (distribution of additional funds for teacher quality compensation, P.D, Market Factor Incentives).
 - Nurses with a baccalaureate must obtain a Statement of Professional Recognition (SPR) from the Board of Educational Examiners, if they do not already have one.
 - Nurses with a baccalaureate degree do need to be evaluated per the Iowa Teaching Standards, participate in P.D. and develop individual P.D. plans.
- B. Nurses without a baccalaureate: Nurses who do not have a baccalaureate degree are not eligible for teacher quality compensation funds, P.D., Market Factor Incentives and do not have to be evaluated per the Iowa Teaching Standards. They will, however, continue to be eligible for Ed Excellence funding (Phase I, Phase II).

The DE does not currently have data concerning which individual school district and AEA nurses hold a baccalaureate degree. The DE also needs to verify that other individuals with Statements of Professional Recognition (SPR) issued by the Board of Educational Examiners are accurately accounted for. Further data collection information will be needed in order to calculate Teacher Quality funding allocations. Instructions for districts and AEAs will be sent in a separate memo. The sooner all districts and AEAs respond to the data collection request, the sooner the allocations for each district and AEA can be determined.

Question 29: The Board of Educational Examiners is now requiring evidence of a baccalaureate degree before they will issue a Statement of Professional Recognition (SPR). What about individuals who do not have a baccalaureate degree but do have a previously issued SPR?

Those individuals with an SPR but not holding a baccalaureate degree meet the mandate of being qualified as a school nurse. These individuals are NOT eligible for teacher quality compensation provided in SF 277. They remain eligible for Ed Excellence funding (Phase I, Phase II).

Question 30: What if a district has other positions with SPRs such as school social worker and school psychologist? Are they now eligible for teacher quality compensation?

They are eligible for the same teacher quality compensation funds as are school nurses with a baccalaureate degree (see Question 28, A).

F. Minimum teacher salaries

(Amends Iowa Code Chapter 284) SF 277 increased the minimum teacher salaries to the following:

- | | |
|-------------------------------|----------|
| a. Beginning teacher | \$26,500 |
| b. First-year career teacher | \$27,500 |
| c. Second-year career teacher | \$28,500 |

The amount allocated to each district and AEA for Teacher Quality compensation has not yet been calculated. The amount to be distributed to each district and AEA will be posted on the DE website in early summer. Districts are urged to pay teacher quality compensation salary increases on a regular basis rather than as bonus checks once or twice a year.

G. Other changes to district procedures per SF 277

- (Amends Iowa Code Chapter 284.3) School boards and the certified bargaining representative shall negotiate, pursuant to Iowa Code Chapter 20, evaluation and grievance procedures for teachers other than beginning teachers (teachers holding initial licensure). Previously the language was “...may negotiate, pursuant to Iowa Code Chapter 20...”

- (Amends Iowa Code Chapter 284.7, subsection 6) School boards and the certified bargaining representatives now have until September 15 to determine distribution of teacher salary compensation funds received through the SF 277 appropriation. The two parties may mutually agree to go beyond September 15. Previously the date was July 15.
- (Amends Iowa Code Chapter 284.8) The intensive assistance program and its implementation are subject to negotiation and grievance procedures. Previously intensive assistance was not subject to negotiation and grievance procedures.
- (Amends Iowa Code Chapter 284.8) A career teacher (a teacher with a standard teaching license, not a beginning teacher) not meeting the Iowa Teaching Standards and Criteria shall participate in an intensive assistance program. Previously intensive assistance was not required.

Question 31: Must intensive assistance be provided for a teacher is being dismissed per Iowa Code Chapter 279?

No, intensive assistance only applies to the Iowa Teaching Standards and Criteria outlined in Iowa Code Chapter 284. Dismissals per Iowa Code Chapter 279 do not require intensive assistance.

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